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## Understanding Sexual Consent

Not long ago, a clever video called "[Tea and Consent](#)" was making the rounds on social media. Produced by the Thames Valley Police in England, it offers ways to tell whether a partner is giving consent for sex. However, it compares sex to a cup of tea.

The video has a humorous edge. ("Unconscious people don't want tea," the narrator explains. "Trust me on this.") But it quickly makes its point and gives people of all ages some language to discuss consent, which is an important concept to understand.

The Thames Valley Police defines consent this way:

*"Sexual consent is where a person has the ability and freedom to agree to sexual activity."*

It sounds straightforward enough, but there are still times when sexual consent is not asked for, not given, or misunderstood.

Let's look at consent in more detail. To illustrate each point, we'll meet Jerry and Lisa, both in their late twenties. Their relationship is just starting to get serious.

### The Basics of Consent

When partners give sexual consent, each of them willingly agrees to the terms of that sexual encounter. Each partner must also be able to give consent. In other words, the person should not be incapacitated in any way. Disability, intoxication, or the influence of drugs are all examples of incapacitation.

It's important to know that having sex without consent is rape or sexual assault. Also, consent cannot be legally given by underage partners, even if they are willing to have sex. Sex with an underage partner is statutory rape.

The age of consent varies from area to area. To learn more, contact authorities in your locality.

***The best way to get consent is to ask.*** That is the only way you can be absolutely clear that consent is granted. For example, if you are kissing your partner and would like to go further, ask how he or she feels about the next steps.

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*Example:*

Jerry and Lisa are kissing passionately on the couch. Lisa would like to move the encounter to the bedroom.

Lisa: You know, I've been thinking about how I'd like to have sex with you. Would you like to do that and spend the night?

Jerry: Yes, I'd like that very much.

**Consent must be confirmed for each sexual encounter.** Don't assume you're granted consent because of past sexual experiences together. Even married people should get consent.

*Example:*

When Jerry visited Lisa at her home last weekend, they had sex several times. Now he is visiting again, but Lisa isn't so sure about the relationship. Perhaps they're moving too fast.

Jerry: So, shall we head to the bedroom?

Lisa: No. I'm not comfortable with that right now. Perhaps we should talk a bit.

Jerry: Okay. I understand.

Consent must be given for each type of sexual activity. If one partner has agreed to vaginal sex, oral or anal sex cannot be taken for granted.

*Example:*

Jerry and Lisa are in bed together. Lisa suggests anal sex.

Jerry: You know, the idea of anal sex is really a turn off for me. I'm sorry.

Lisa: No problem. I'm glad you told me how you feel.

Consent can be withdrawn at any time. When a couple starts sexual activity, they do not necessarily need to finish. If a person has second thoughts, he or she can say no and the activity should stop immediately. It may be frustrating for the partner, but the decision needs to be honored.

*Example:*

Lisa discovered that Jerry has been with other women while he's been seeing her. She wonders

whether he has been having safe sex. Even so, she starts having a sexual encounter with him. Then:

Lisa: We have to stop. I just can't do this. I'm sorry. I just don't know who you've been with.

Jerry: What? Are you kidding? We're almost there.

Lisa: I know. But this just isn't right.

Jerry: Okay. Let's talk about it.

A person who is incapacitated cannot give consent. For example, a person who is drunk is not in any position to give consent, even if he or she appears to want sex.

*Example:*

Lisa is at a bar at her friend's bachelorette party. Most of the women have been drinking heavily. (They hired a limo to take them home.) Lisa has been flirting with Zack. Jerry is the last person on her mind. She smiles provocatively and asks if Zack wants to take her home. He does want to. But he stops himself. Lisa is not capable of giving consent at this time.

As much as he wants to have sex with her, Zack declines and orders her some coffee. He asks one of Lisa's friends how they are getting home. The woman explains that the limo will be picking them up shortly and reassures him that Lisa will be safe.

Safety, respect, and trust

Do these examples seem far-fetched to you? They might. But we hope they illustrate what consent is about: safety, respect, and trust. And when partners feel safe, respect each other, and foster trust, intimacy is often more pleasurable for both of them.

## Resources

*Palo Alto Medical Foundation*

"Consent & Consensual Sex"

(2015)

<http://www.pamf.org/teen/abc/sex/consent.html>

Thames Valley Police

“Crime prevention – What is sexual consent?”

(2015)

<http://www.thamesvalley.police.uk/crime-prevention/keeping-safe/consent-is-everything/what-is-sexual-consent.htm>

“Tea and Consent”

(2015)

<http://www.consentiseverything.com/>

University of Michigan

“What is Consent?”

(2015)

<https://sapac.umich.edu/article/49>